



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: PTQ-0028  
Inventors: Van Eyk et al.  
Serial No.: 09/419,901  
Filing Date: October 18, 1999  
Examiner: Lisa V. Cook  
Group Art Unit: 1641  
Title: Methods of Diagnosing Muscle Damage

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By Kathleen A. Tyrell  
Typed Name: Kathleen A. Tyrell, Reg. No. 38,350

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. The references are being provided herewith because they represent the general state of the art in this field. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- ( ) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.
- (XX) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
- ( ) Certification in Accordance with §1.97(e) is attached hereto; or
- (XX) The fee of \$180.00 as set forth in §1.17(p) is attached.
- ( ) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(I)(1).

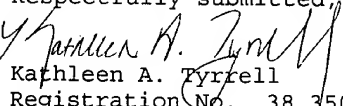
(XX) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith with the exception of foreign patent document BA. A copy of reference BA was provided with the Supplemental IDS filed December 23, 2003. The Supplemental IDS of December 23, 2003 incorrectly categorized this reference as a U.S. Patent document. Thus in an earnest effort to clarify the record of this case, Applicants are listing this reference correctly in the instant Supplemental IDS as a foreign patent document.

( ) In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

( ) The relevance of the listed references in a foreign language is as stated in the specification at pages @@.

(XX) All listed references are in the English language.

Respectfully submitted,  
  
Kathleen A. Tyrrell  
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Date: January 21, 2004

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Sheet 1 of 2FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
PTQ-0028SERIAL NO.  
09/419,9  
01LIST OF PUBLICATIONS CITED BY APPLICANT  
(Use several sheets if necessary)APPLICANT  
Van Eyk, et al.FILING DATE  
Oct. 18, 1999GROUP  
1641

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
1A	09/115,589		Van Eyk <i>et al.</i>			July 15, 1998

## FOREIGN PATENT DOCUMENTS

*EXAMINER TRANSLATION INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
BA	2,243,372	7-16-98	Canada				

## OTHER PUBLICATIONS (Including Author, Title, Date, Pertinent Pages, Etc.)

- 1 Collinson, P.O., *et al.*, Measurement of Cardiac Troponins. *Ann. Clin. Biochem.* **38**(Pt 5): 423-449 (2001)
- 2 Hartner, K., Pette, D., Fast and Slow Isoforms of Troponin I and Troponin C. Distribution in Normal Rabbit Muscles and Effects of Chronic Stimulation. *Eur. J. Biochem.* **188**: 261-267 (1990)
- 3 Konagaya, M., *et al.*, Increased Serum Myosin Light Chain 3 Level in Neuromuscular Diseases. *Muscle & Nerve* **10**(5): 415-421 (1987)
- 4 Larue, C., *et al.*, Immunoradiometric Assay of Myosin Heavy Chain Fragments in Plasma for Investigation of Myocardial Infarction. *Clin. Chem.* **37**(1):78-82 (1991)
- 5 Morano, I. *et al.*, Phosphorylation and Thiophosphorylation by Myosin Light Chain Kinase: Different Effects on Mechanical Properties of Chemically Skinned Ventricular Fibers from the Pig. *J. Mol. Cell Cardiol.* **22**: 805-813 (1990)

Examiner

Date Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Sheet 2 of 2

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(REV. 7-80)

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ATTY. DOCKET NO.  
PTQ-0028

SERIAL NO.  
09/419,9  
01

LIST OF PUBLICATIONS CITED BY APPLICANT  
(Use several sheets if necessary)

APPLICANT  
Van Eyk, et al.

FILING DATE  
Oct. 18, 1999

GROUP  
1641

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- \_\_\_\_\_ 6      Ravkilde, J., Creatine Kinase Isoenzyme MB Mass, Cardiac Troponin T, and Myosin Light Chain Isotype 1 as Serological Markers of Myocardial Injury and their Prognostic Importance in Acute Coronary Syndrome. *Dan. Med. Bull.* **45** (1): 34-50 (1998)
- \_\_\_\_\_ 7      Takahashi, M., *et al.*, Use of Enzyme Immunoassay for Measurement of Skeletal Troponin-I Utilizing Isoform-Specific Monoclonal Antibodies. *Clin. Biochem.* **29** (4): 301-308 (1996)

Examiner \_\_\_\_\_

Date Considered \_\_\_\_\_

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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